

FCC MAIL SECTION
Before the
Federal Communications Commission
Washington, D.C. 20555
DEC 30 3 29 PM '93

PROCESSED BY
DISPATCHED BY
93-305

In the Matter of

Amendment of the Amateur Service
Rules to Implement a Vanity Call
Sign System.

NOTICE OF PROPOSED RULE MAKING

Adopted: December 13, 1993; Released: December 29, 1993

Comment Date: March 7, 1994

Reply Comment Date: April 7, 1994

By the Commission:

I. INTRODUCTION

1. The ardent desire of amateur operators for call signs of choice presents an opportunity for us to focus on serving an important segment of the public. By this *Notice*, therefore, we propose to amend the amateur service rules to authorize the use of vanity call signs as set forth herein.

II. BACKGROUND

2. Each amateur station licensed by the Commission is assigned a unique call sign.¹ The assigned call sign itself conveys no frequency or operating privileges. Its only purpose is to provide for over-the-air identification of the station.² Nonetheless, amateur operators have a very high regard for call signs. They frequently request specific call signs with letters that represent something that is important to them, such as their initials, nicknames, or personal statements. Our current automated licensing process, however, will not support a vanity call sign system. The system

is nearly two decades old and simply assigns call signs sequentially from groups of call signs, according to the applicant's class of operator license and mailing address.³

III. DISCUSSION

3. Information age technology is providing the capability to administer a vanity call sign system and provide better and more friendly service to our customers. The Private Radio Bureau's Licensing Division will soon be installing a new automated licensing process that will provide greater flexibility in licensing. With the added capability, we can now propose to amend the rules to implement a system whereby amateur station licensees could select call signs of their choice, provided they are not already assigned. This vanity call sign system would be in addition to the current sequential call sign system that we would continue to use for those applicants who do not want a vanity call sign.

4. The rules we are proposing herein would allow the licensee of an existing primary station⁴ to request a modification of the license to show a call sign selected by the licensee. We also propose to extend this privilege to the license trustee of an existing club station. Finally, we also propose to administer a club and military recreation station call sign system under our new automated licensing process.⁵

5. Applicants for a vanity call sign would use a new application form.⁶ The applicant would list on the form a maximum of ten call signs, in order of preference. The form would then be filed with the Commission.⁷ We request comment on other means, such as magnetic computer disks, that applicants could use to apply directly to the Commission for a vanity call sign. The automated process would compare the applicant's list with the assigned call signs in the groups designated in the sequential call sign system for the applicant's class of operator license. The first available call sign from the applicant's list would then be assigned. If none of the call signs listed are available, the automated process would reassign the call sign that the applicant had vacated. The vanity call sign listed by the applicant must be within the framework of the sequential call sign assignment system wherein certain groups of call signs are designated for each class of oper-

¹ Some possible amateur station call sign variations are K1SS, N2WHY, W3CAT, AA4AA, KA5LAW, NB6HAM, and WC7SKI. There are almost 15 million possible combinations of letters and numbers for amateur station call signs.

² Section 97.119(a) of the Commission's Rules, 47 C.F.R. § 97.119(a), requires an amateur station to transmit its call sign on its transmitting channel at the end of each communication and at least every ten minutes during a communication.

³ See *Amateur Station Call Sign Assignment System*, PR-5000 Private Radio Bureau Fact Sheet #206 dated June, 1991. Stations licensed to the higher classes of operator license are assigned shorter call signs. Because shorter call signs are fewer in number, they are generally considered more desirable.

⁴ A station licensed to an individual is a primary station. See Section 97.5(d)(1) of the Commission's Rules, 47 C.F.R. § 97.5(d)(1).

⁵ In a related *Order*, adopted today, we are terminating the

privately administered club call sign and military recreation system that was established, but not actually in operation, by an *Order* that we adopted on May 11, 1993. See 8 FCC Rcd 3594 (1993).

⁶ FCC Form 610-V. FCC Form 610 which is currently used by applicants would also advise licensees holding vanity call signs to submit FCC Form 610-V with the proper fee, if they want to renew their license and retain the vanity call sign.

⁷ Section 9(g) of the Communications Act of 1934, as amended, 47 U.S.C. § 159(g), specifies a fee of \$7.00 per year for amateur service vanity call signs. Section 9(f)(1) of the Communications Act of 1934, as amended, 47 U.S.C. § 159(f)(1) allows the Commission to require payment of small fees in advance for a number of years not to exceed the relevant license term. The Commission will conduct a rule making proceeding to implement these regulations. A vanity call sign system will not be started until the issues regarding implementation of fees have

ator license. Applicants, therefore, could choose call signs from the groups corresponding to their license classes or lower license classes.⁸

6. Licensees requesting vanity call signs would find it helpful to know which call signs are assigned at the time that they file their applications so that they can make prudent selections of call signs with a real possibility that their requests can be granted. Even with our enhanced licensing system, we do not currently envision on-line access by the public to check for call sign availability. We request comments on how this service could be made available.

7. The system that we are proposing should be viewed as but one step in creating a government agency that works better and costs less.⁹ We note that the amateur service is on the cutting edge of information technology. Electronic bulletin boards are commonplace in the amateur service. Its volunteer examiners use modern information systems to prepare and administer paperless license examinations, to prepare examination session manifests, to maintain a licensee data base, and a host of other activities. Examinees study for examinations using computer-aided instruction. Our amateur service licensee data base is widely available from entrepreneurs and bulletin boards in practically all forms of magnetic media.¹⁰ Our goal is to accept eventually applications for licenses or call signs electronically. We may even be able to issue the licenses electronically at some future date. As a starting point, we hope to accept application data from the volunteer-examiner coordinators by the end of 1994. We request comment on the options that may be available to allow electronic data transfer as soon as possible. Ultimately, we may be able to develop a system whereby authorization occurs instantly.¹¹

IV. CONCLUSION

8. We firmly believe in the principle that government should be responsive to user needs. Therefore, we are attempting to satisfy the desires of persons in the amateur community who want to choose their own call signs. The vanity call sign system that we have proposed is designed to be practicable to administer and simple for the amateur community to use. Accordingly, we propose to amend the amateur service rules to provide a vanity call sign system. Comments are invited on the proposal.

been resolved.

⁸ In the case of a club station, the license trustee's class of operator license would apply. Because military recreation stations and radio amateur civil emergency stations (RACES) are licensed to non-amateur operators, these stations would not be included under the vanity call sign system. Persons commenting on this proposal, however, may wish to submit alternatives suggesting ways that military recreation and RACES stations might be able to be brought into a system that would afford them call signs of choice.

⁹ Vice President Al Gore, Report of the National Performance Review, From Red Tape to Results: Creating a Government

V. PROCEDURAL MATTERS

Regulatory Flexibility Act

9. We certify that the Regulatory Flexibility Act of 1980 does not apply to this rule making proceeding because, if the proposed rule amendments are promulgated, there will not be a significant economic impact on a substantial number of small business entities, as defined by Section 601(3) of the Regulatory Flexibility Act. The amateur stations that are the subject of this proceeding would not be authorized to transmit any communications where the station licensee or control operator has a pecuniary interest. The Secretary shall send a copy of the *Notice of Proposed Rule Making*, including the certification, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 605(b) of the Regulatory Flexibility Act. Pub. L. No. 96-354, 94 Stat. 1164, 5 U.S.C. §§ 601-612 (1980).

Ex Parte Rules - Non-Restricted Proceeding

10. This is a non-restricted notice and comment rule making proceeding. *Ex Parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in the Commission rules. See generally 47 C.F.R. §§ 1.1202, 1.1203, and 1.1206(a).

Comment Dates

11. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's Rules, 47 C.F.R. §§ 1.415 and 1.419, interested parties may file comments on or before **March 7, 1994**, and reply comments on or before **April 7, 1994**. To file formally in this proceeding, you must file an original and four copies of all comments and reply comments. If you want each Commissioner to receive a personal copy of your comments, you must file an original plus nine copies. You should send comments and reply comments to Office of the Secretary, Federal Communications Commission, Washington, DC 20554. Comments and reply comments will be available for public inspection during regular business hours in the F.C.C. Reference Center of the Federal Communications Commission (Room 239), 1919 M Street, N.W., Washington, DC 20554.

Authority

12. Authority for issuance of this *Notice of Proposed Rule Making* is contained in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r).

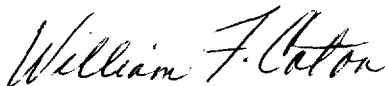
That Works Better and Costs Less (1993). The Vice President's Report stresses putting people first. Serving customers and cutting costs are two of its key principles. This *Notice* embraces these principles by seeking ways to use efficient technologies that are now available to the Commission to provide amateur community customers with the services they desire.

¹⁰ The amateur service licensee data base is available from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, (703) 487-4600 or 1-800-553-NTIS.

¹¹ The licensee data base, for example, could serve as the instrument of authorization.

Contact Person

13. For further information concerning this proceeding, contact Maurice J. DePont, Private Radio Bureau, (202) 632-4964.

FEDERAL COMMUNICATIONS COMMISSION

William F. Caton
Acting Secretary

APPENDIX

Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is proposed to be amended as follows:

Part 97 - Amateur Radio Service

1. The authority citation for Part 97 continues to read as follows:

Authority citation: 48 Stat. 1066, 1082, as amended; 47 U.S.C. §§ 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. §§ 151-155, 301-609, unless otherwise noted.

2. In Section 97.17, paragraphs (b), (c), (f), are revised and a new paragraph (g) is added to read as follows:

§ 97.17 Application for new license.

(b) Each application for a new amateur service license must be made on the proper FCC form:

(1) FCC Form 610 for a new operator/primary station license;

(2) FCC Form 610-A for a reciprocal permit for alien amateur licensee; and

(3) FCC Form 610-B for a new amateur service club or military recreation station license.

(c) Each application for a new operator/primary station license must be submitted to the VEs administering the qualifying examination.

(f) One unique call sign will be assigned to each new primary, club, and military recreation station using the *sequential call sign system* (call sign is selected sequentially by the FCC from an alphabetized list corresponding to the geographic region of the licensee's mailing address and class of operator license.) The FCC will issue public announcements detailing the procedures of the sequential call sign system.

(g) Each application for a new club or military recreation station license must be submitted to the FCC, 1270 Fairfield Road, Gettysburg, PA 17325-7245. No new license for a RACES station will be issued.

3. Section 97.19 is revised in its entirety to read as follows:

§ 97.19 Application for a vanity call sign.

(a) A person holding an operator/primary or club station license may request a modification of the license to show a call sign assigned under the *vanity call sign system* (licensee selects the call sign.)

(b) Each request for a modification of a operator/primary or club station license to show a new call sign assigned under the vanity call sign system must be made on FCC Form 610-V. The form must be submitted with the proper fee to the address specified in the Private Radio Services Fee Filing Guide.

(c) Each request for a renewal of a operator/primary or club station license retaining a call sign assigned under the vanity call sign system must be made on FCC Form 610-V. The form must be submitted with the proper fee to the address specified in the Private Radio Services Fee Filing Guide. To renew the license without retaining a vanity call sign, the applicant must use FCC Form 610 as specified in Section 97.21.

(d) The following persons are eligible to apply for a new vanity call sign:

(1) The holder of a valid operator/primary station license; and

(2) The license trustee holding a club station license.

(e) RACES and military recreation stations are *not* eligible for a vanity call sign.

(f) Only unassigned call signs are available to the vanity call sign system.

(1) A call sign that was previously assigned to a station whose license has lapsed is not available to the vanity call sign system for 2 years following expiration of the license.

(2) A call sign assigned to a station of a deceased licensee is not available to the vanity call sign system for 2 years following the licensee's death, or for 2 years following the expiration of the license, whichever is sooner.

(3) A call sign that is vacated by the licensee is available immediately to the vanity call sign system.

(g) Each vanity call sign requested must be selected from the groups of call signs designated under the sequential call sign system for the class of operator license held by the applicant or for a lower class.

(1) The applicant must request that the call sign held be cancelled and provide a list of up to 10 call signs in order of preference. The list will automatically end with the call sign vacated as the eleventh choice.

(2) The first available call sign from the applicant's list will be assigned. When none of those call signs are available, the call sign vacated by the applicant will be reassigned.

(3) Vanity call signs will be assigned from those call signs available at the time the application is processed by the FCC.

(4) The FCC will issue public announcements detailing the procedures of the vanity call sign system.

4. Section 97.21 is revised in its entirety to read as follows:

§ 97.21 Application for renewal, reinstatement, or modification of a license.

(a) Each application for renewal, reinstatement, or modification of an amateur service license must be made on the proper FCC form(s):

(1) FCC Form 610 to request renewal or reinstatement of an operator/primary station license. The form must be submitted to the FCC, 1270 Fairfield Road, Gettysburg, PA 17325-7245. When the applicant desires to retain a call sign that was assigned under the vanity call sign system, FCC Form 610-V must be used as specified in Section 97.19.

(2) FCC Form 610 to request modification of an operator license showing a change in operator class. The form must be submitted to the VEs administering the qualifying examination. A request for a vanity call sign may *not* be filed with the administering VEs. When the applicant desires to retain a call sign that was assigned under the vanity call sign system, the license will bear the original expiration date.

(3) FCC Form 610 to request modification of an operator/primary station license showing a change of mailing address, change of name, or change of call sign to be assigned under the sequential call sign system. The form must be submitted to the FCC, 1270 Fairfield Road, Gettysburg, PA 17325-7245. When the applicant desires to retain a call sign that was assigned under the vanity call sign system, the license will bear the original expiration date.

(4) FCC Form 610-B to request renewal of a club, military recreation, or RACES station license. The form must be submitted to the FCC, 1270 Fairfield Road, Gettysburg, PA 17325-7245. If the station has a call sign that was assigned under vanity call sign system, FCC Form 610-V must be used as specified in Section 97.19.

(5) FCC Form 610-B to request modification of a club, military recreation, or RACES station license showing a change of mailing address, change of license trustee or custodian, or change of call sign to be assigned under the sequential call sign system. The form must be submitted to the FCC, 1270 Fairfield Road, Gettysburg, PA 17325-7245. When the applicant desires to retain a call sign that was assigned under the vanity call sign system, the license will bear the original expiration date.

(6) A reciprocal permit for alien amateur licensee is not renewable. A new reciprocal permit may be issued upon proper application.

(b) Each application for renewal, reinstatement, or modification of an amateur service license must be accompanied by a photocopy of the license document or the original document, unless it has been lost, mutilated, or destroyed.

(c) When the licensee has submitted a timely application for renewal of an unexpired license (between 60 and 90 days prior to the end of the license term is recommended), the licensee may continue to operate until the disposition of the application has been determined. If a license expires, application for reinstatement may be made during a grace period of 2 years after the expiration date. During this grace period, the expired license is not valid. A license reinstated during the grace period will be dated as of the date of the reinstatement.

(d) Under the sequential call sign system, unless the licensee requests a change, the same call sign will be assigned to the station upon renewal, reinstatement, or modification of a station license.

5. Current sections 97.21, 97.23, 97.25, and 97.27 are redesignated as Sections 97.23, 97.25, 97.27, and 97.29, respectively.